

DOCKET NO.: ARC2366N2/ALZA-0143
Application No.: 10/645,715
Office Action Dated: January 26, 2005

PATENT
REPLY FILED UNDER EXPEDITED
PROCEDURE PURSUANT TO
37 CFR § 1.116

REMARKS

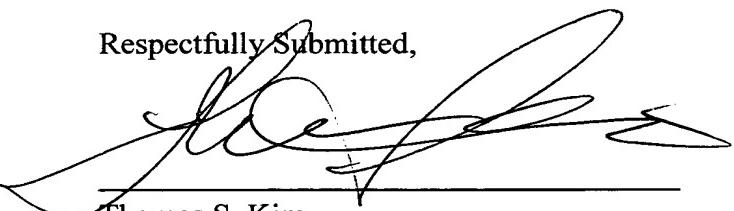
Claims 40 to 48 are pending in this patent application.

Claims 40 to 48 have been rejected under the judicially created doctrine of obviousness-type double patenting as allegedly unpatentable over the claims of various patents and a patent application. Although Applicants do not necessarily concur, they hereby submit Terminal Disclaimers over US Pat. Nos. 5,840,754, 6,124,355, and 6,262,115 and patent application US Ser. No. 09/785,805 solely to advance prosecution. Applicants respectfully request reconsideration of the rejections of record in view of the current amendments, following remarks and accompanying Terminal Disclaimers.

Claims 32 to 39 stand rejected under 35 U.S.C. § 103(a) over the abstract of JP 406009388A, and for alleged obviousness-type double patenting over US Pat Nos. 5,674,895 and 5,912,268. Applicants do not necessarily concur, but have canceled claims 32-39 to advance prosecution. Applicants reserve the right to pursue the subject matter of the canceled claims in a continuing application.

Applicants submit that the pending claims are in condition for allowance.
Accordingly, Applicants respectfully request an early and favorable action.

Respectfully Submitted,


Thomas S. Kim
Registration No. 51,009

Date: June 28, 2005

Woodcock Washburn LLP
One Liberty Place - 46th Floor
Philadelphia PA 19103
Telephone: (215) 568-3100
Facsimile: (215) 568-3439